

CLERK'S OFFICE
UNITED STATES DISTRICT COURT
ROOM 150 FEDERAL BLDG

SAN JUAN PR 00918-1767

FEBRUARY 4-2022

OBE E JOHNSON

Plaintiff

Civil

VS

Complaint

UNITED STATES OF AMERICA

22-CV-1088 FAB

Defendant

Jurisdiction & Venue

- ① This action is a civil Authorized by 42 USC Section 1982 to redress the deprivation under color of state law, of rights secured by the Constitution of the United States, the Court has Jurisdiction under 28 USC Section 1331 and 1343(a)(3) I plaintiff OBE E JOHNSON seek declaratory relief pursuant to 28 USC Section 2201 and 2202, I plaintiff OBE E JOHNSON claim for injunctive relief are authorized by 28 USC Section 2283 & 2284 and Rule 65 of the Federal Rule of Civil Proceeding
- ② THE District Court of the Commonwealth of Puerto Rico is an appropriate venue under 28 USC Section 1391(b)(2) because it is where the events giving rise to this claim occurred,

Plaintiff

I plaintiff OBE E JOHNSON is and was at all times mentioned herein, a prisoner of the Commonwealth State of GUAYAMA in custody of the GUAYAMA Department of Correction, I am currently confined in GUAYAMA

②

STATE PRISON,

DEFENDANT

DEFENDANT THE UNITED STATES OF AMERICA IS LEGALLY RESPONSIBLE FOR THE OPERATION ABOUT THE CONDUCT OF ATTORNEY AND MISCONDUCT ALLEGATION AGAINST JUDGES IN THE UNITED STATES DISTRICT COURT OF PUERTO RICO,

DEFENDANT THE UNITED STATES OF AMERICA THEIR-OR ITS EMPLOYEE NAME LISTED, ATTORNEY LUMY MANGUAL MANGUAL USDC-PR 224606, ATTORNEY IRMA R. VALDE- JULLI USDC 124303, HONORABLE JUDGE JAY A. GARCIA GREGORY, WHO AT ALL TIME MENTIONED IN THIS COMPLAINT HELD THE RANK OF DISTRICT COURT ATTORNEY AND JUDGE, THEY ARE ALL ACCUSED OF PERJURY STATEMENT OR MAKING A FALSE STATEMENT UNDER OATH, FOR CRUEL PUNISHMENT THE EIGHTH AMENDMENT VIOLATION,

EACH DEFENDANT IS SUED INDIVIDUALLY AND IN HIS OR HER OFFICIAL CAPACITY AT ALL TIMES MENTIONED IN THIS COMPLAINT, EACH DEFENDANT ACTED UNDER THE COLOR OF STATE LAW,

(FACT)

AT ALL TIMES RELEVANT TO THIS CASE I PLAINTIFF DOR E JOHNSON, CLAIM THAT OR CONSPIRACY AND A PROSECUTION WAS FORM AGAINST ME, TO HOLD ME ILLEGALLY INCARCERATED BY THESE ATTORNEY AND JUDGES OF THE DISTRICT COURT OF PUERTO RICO, AND THE DEPARTMENT OF JUSTICE OF THE COMMONWEALTH OF PUERTO RICO, THESE ATTORNEYS AND JUDGE OF THE DISTRICT COURT OF PUERTO RICO THEY ARE ALL ACCUSED OF PERJURY STATEMENT OR

③

making a False Statement Under Oath For Cruel Punishment the Eighth Amendment Violation,

On February 20, 2009 I Plaintiff OBE E. Johnson Filed a Petition For Writ of Habeas Corpus pursuant to 28 USC 2254 with the District Court of Puerto Rico, alleging that the Criminal Conviction in Commonwealth Court and Prison Sentence that was imposed on me as a result were unlawful.

- (3) On June 24, 2009 Honorable Judge Carmen Consuelo Cerezo Denied the petition For Writ of Habeas Corpus. Her remark-version was that while Johnson has submitted a copy of his petition for certiorari to the Puerto Rico Supreme Court, he did not submit a copy of the Appellate Opinion, therefore we must presume the decision to be correct. Conspiracy started or (to set out) to fabricate to change legal proceeding between their attorney and judges of the District Court of Puerto Rico and the Department of Justice of the Commonwealth of Puerto Rico. The 25 of January of 2008 the Puerto Rico Supreme Court granted certiorari. State remedies are sufficiently exhausted with respect to Federal speedy trial claim raised for first time in Federal Habeas Corpus, because of this reason refused to release me I lose my carpet cleaning company.

Conspiracy began on the 25 day of May 2010, Attorney Liny Mangual Mangual within her motion to dismiss pursuant to Rule 12(b)(1) to rid of legal proceeding to implement trick or established trick, please glance at that motion she do filed the entire motion is composed of trick,

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THE 25 OF JANUARY OF 2008, THE SUPREME COURT OF PUERTO RICO GRANTED CERTIORARI ON DIRECT REVIEW A FEDERAL QUESTION IS INVOLVED WRIT OF CERTIORARI, COME TO AN END A PRESUMPTION OF FINALITY AND LEGALITY ATTACHED TO A CRIMINAL CONVICTION AND SENTENCE, AND ON FEBRUARY 20 2009, I FILED A PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. 2254 WITH THE DISTRICT COURT OF PUERTO RICO, ATTORNEY LINDA MANGUAL MANGUAL CLAIM THAT I DID NOT FILE 192.1 MOTION WITHIN THEIR TRIAL COURT OR COURT OF FIRST INSTANCE AFTER DIRECT REVIEW OR APPEAL AND FEDERAL QUESTION IS ALREADY INVOLVED AND WHY SHOULD I FILE 192.1 MOTION MY FOURTH AMENDMENT CLAIM HAS BEEN DECIDED ADVERSELY IN SUPREME COURT DECISION ON WRIT OF CERTIORARI,

ON APRIL 4 2013 I FILED A INSTANT ACTION PRO SE AGAINST THE PUERTO RICO ADMINISTRATION OF CORRECTIONS AND ON MAY 8 2013, THE DISTRICT COURT APPOINTED ATTORNEY LINDA VAUDEJULI TO REPRESENT ME ON DECEMBER 10, 2013, SHE CLAIM AFTER A THOROUGH INTERVIEW WITH ME AND REVIEW OF MY ENTIRE RECORD OF THE CRIMINAL CASE AGAINST ME. IT HAS BEEN CONCLUDED, THAT THERE HAS BEEN A SERIOUS CONSTITUTION VIOLATION OF MY RIGHTS AND SHE GOT INVOLVED WITHIN CONSPIRACY TO FORM PROSECUTION AGAINST ME, GLANCE AT THE AMENDED PETITION UNDER TITLE 28 UNITED STATES CODE SECTION 2254 SHE FILED WITH THE DISTRICT COURT, AFTER SHE CLAIM THAT SHE REVIEWED MY ENTIRE CRIMINAL RECORD SHE CONSPIRED WITH THE PUERTO RICO DEPARTMENT OF JUSTICE AND FORM A PROSECUTION AGAINST ME, SHE FOLLOWED THEM OF MAKING A FALSE STATEMENT OR PERJURY, THAT JOHN'S CONVICTION AND JUDGMENT

(5)

WERE APPEALED TO THE PUERTO RICO COURT OF APPEALS AND THE SAME WERE AFFIRMED ON NOVEMBER 20, 2008. A PETITION FOR CERTIORARI WAS FILED BEFORE THE SUPREME COURT OF PUERTO RICO AND THE SAME WAS DENIED ON JUNE 7 2009,

ATTORNEY IRMA R. VALLDEJULI HAS VIOLATED THE EIGHTH AMENDMENT OF THE UNITED STATES CONSTITUTION PROHIBITION AGAINST CRUEL AND UNUSUAL PUNISHMENT,

AND THE PROSECUTION FOLLOWED BY HONORABLE JUDGE JAY A. GARCIA GREGORY HE MADE A PERJURY STATEMENT OF JUDGMENT AGAINST ME, WAS THAT I OBEY, JOHNSON WAS CONVICTED ON JUNE 13TH 2005, AND THIS JUDGMENT BECAME FINAL WHEN THE SUPREME COURT OF PUERTO RICO DENIED CERTIORARI; THEREFORE EVEN IF THIS PETITION HAD BEEN FILED UNDER THE CORRECT STATUTE IT WOULD BE TIME-BARRIED SIGNED BY JUDGE JAY A. GARCIA GREGORY ON 4/20/2015 (MAL) IS THIS JUDGMENT OR ERROR,

THE 25TH OF JANUARY OF 2008, THE SUPREME COURT OF COMMONWEALTH OF PUERTO RICO, GRANTED A CERTIORARI, JUDGMENT END,

I BELIEVE OR IT IS BELIEVABLE BECAUSE OF THESE FALSE STATEMENTS OF THESE ATTORNEY SWEETWOOD MISLEAD HONORABLE JUDGE JAY A. GARCIA GREGORY THE EIGHTH AMENDMENT VIOLATION PROHIBITION AGAINST CRUEL AND UNUSUAL PUNISHMENT,

Administrative Exhaustion,

ON JULY 2 OF 2021 I FILED GOVERNMENT STANDARD FORM 95 MAKING AN ADMINISTRATIVE CLAIM AGAINST THE UNITED STATES OF AMERICA REQUESTING A SPECIFIC

(6)

OF THE AMOUNT OF \$ 125,000,000 million dollar
 FOR DAMAGE IN EXCESSIVE FINES IMPOSED
 FOR PUNISHMENT, THE EIGHTH AMENDMENT VIOLATION
 PROHIBITION AGAINST CRUEL AND UNUSUAL PUNISHME
 NT,

LEGAL CLAIM

THESE DEFENDANTS USED EXCESSIVE FORCE AGAINST
 I PLAINTIFF OBE E JOHNSON, BY PERJURY STATEMENTS
 OR BY MAKING A FALSE STATEMENT UNDER OATH, TO
 FORM PART OF THE PROSECUTION AGAINST ME FOR A
 LEGAL PROCEEDING, ALL OF THESE DEFENDANTS HAS VIOL-
 ATED I PLAINTIFF OBE E JOHNSON RIGHTS UNDER
 THE EIGHTH AMENDMENT TO THE UNITED STATES
 CONSTITUTION AND CAUSED I PLAINTIFF OBE E JOHNSON
 PAIN, SUFFERING PHYSICAL INJURY AND EMOTIONAL
 DISTRESS

DEFENDANT THE UNITED STATES OF AMERICA OR ITS
 FEDERAL EMPLOYEE SUE UNDER 28 U.S.C 1346 (b), USED
 AND CONTINUES TO USE EXCESSIVE FORCE AGAINST I
 PLAINTIFF OBE E JOHNSON, BY MAKING A FALSE STATE-
 MENT UNDER OATH, AND ALSO BY CONSPIRACY WITH THE
 DEPARTMENT OF JUSTICE OF THE COMMONWEALTH OF
 PUERTO RICO, TO FORM PART OF THE PROSECUTION AGAINST
 ME, THE DEFENDANT UNITED STATES OF AMERICA ACTION VIOL-
 ATED AND CONTINUES TO VIOLATE I PLAINTIFF OBE E
 JOHNSON RIGHTS UNDER THE EIGHTH AMENDMENT TO
 THE UNITED STATES CONSTITUTION AND IS CAUSING I
 PLAINTIFF OBE E JOHNSON, SUFFERING PHYSICAL INJURY
 AND EMOTIONAL DISTRESS,

(7)

by witnessing Defendant United States America or its Federal Employee illegal action failing to correct that misconduct by making a false statement under oath, and encouraging the continuation of misconduct Defendant United States of America also violating I plaintiff Orl E Johnson rights under the Eighth Amendment to the United States Constitution and causing I plaintiff Orl E Johnson pain suffering physical injury and emotional distress

by punishing I plaintiff Orl E Johnson by conspiracy and forming a prosecution against me, with or by physical force making a false statement its classify or quality to be fraud for cruel punishment I filed a standard form 95 administrative claim requesting the amount of \$125,000,000 million dollars in damage, Defendant United States of America is retaliating against I plaintiff Orl E Johnson, rights under the First Amendment to the United States Constitution these illegal action are causing I plaintiff Orl E Johnson injury to my First Amendment rights

I plaintiff Orl E Johnson has no plain adequate or complete remedy at law to redress the wrongs described herein I plaintiff Orl E Johnson has been and will continue to be irreparably injured by the conduct of the defendant United States of America unless this court grants the declaratory and injunctive relief which I plaintiff Orl E Johnson seek.

Prayer for Relief

(8)

WHEREFORE I plaintiff OBE E JOHNSON respectfully
 pray that this court ENTER JUDGMENT

Granting I plaintiff OBE E JOHNSON a declaration that
 the acts and omission described herein violate
 my rights under the Constitution and law of the
 United States,

A preliminary and permanent injunction ordering
 Defendant United States of America and its Federal
 Employee to CEASE OR STOP their physical violence
 and danger or evil toward I plaintiff OBE E JOHNSON
 I REQUESTING A JUST COMPENSATION OF \$125,000,000 million)

Granting I plaintiff OBE E JOHNSON damage in the
 amount of \$125,000,000 million dollar) one hundred
 and twenty five million dollars against Defendant
 United States of America,

I plaintiff OBE E JOHNSON seek damage of the amount
 of \$125,000,000 million dollars) one hundred and twenty
 five million dollars against Defendant United States
 of America because of its Federal Employee Attorney
 PENJURY-STATEMENT OR making a FALSE STATEMENT CONSP-
 IRCY and Form a prosecution against me for a legal
 Criminal proceeding within both states court
 of the commonwealth of Puerto Rico, and the United
 States District court of Puerto Rico, Eighth Amendment
 violation (true punishment I ALSO LOSE my company

I plaintiff OBE E JOHNSON seek a July trial on all
 issues triable by July

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 I Plaintiff Obe E Johnson also seek recovery of their
 costs in this suit and

any additional relief this court deems just proper
 and equitable

DATE February 4 2022 or February 4-2022

Respectfully Submitted

Obe E Johnson

Institution Guayama 500 AB 033

P.O. Box 1000-5

Guayama, PR 00785

Verification

I HAVE READ THE FOREGOING COMPLAINT AND HERESY VERIFY
 THAT THE MATTER ALLEGED THEREIN ARE TRUE EXCEPTS
 AS TO MATTER ALLEGED OF INFORMATION AND BELIEF AND
 AS TO THOSE I BELIEVE THEM TO BE TRUE I CERTIFY
 UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE
 AND CORRECT

EXECUTED AT GUAYAMA 500 Prison,

ON FEBRUARY 4 2022 FEBRUARY 4-2022

Signature

Obe E Johnson

(ATTACHMENT)

THE 25 OF JANUARY OF 2008 THE SUPREME COURT OF THE COMMONWEALTH OF PUERTO RICO GRANTED A CERTIORARI IN THIS CRIMINAL CASE ON DIRECT REVIEW. WHEN THE PROCESS OF DIRECT REVIEW WHICH IF A FEDERAL QUESTION IS INVOLVED THE RIGHT TO PETITION THE UNITED STATES SUPREME COURT FOR A WRIT OF CERTIORARI COMES TO AN END A PRESUMPTION OF FINALITY AND LEGALITY ATTACHES TO A CRIMINAL CONVICTION AND SENTENCE

STATEMENT ON FEBRUARY 20, 2004 I FILED A PETITION FOR A WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. 2254 WITH THE DISTRICT COURT ALLEGING THAT THE CRIMINAL CONVICTION IN THE COMMONWEALTH COURT AND THE PRISON SENTENCE THAT WAS IMPOSED ON ME AS A RESULT WERE UNLAWFUL,

QUESTION MY QUESTION IS WHY SHOULD THIS DISTRICT COURT OF THE COMMONWEALTH OF PUERTO RICO REFUSED TO RELEASE ME - OUT OF ILLEGAL CUSTODY OR PRISON, AND GOT WITHIN CONSPIRACY WITH THEIR DEPARTMENT OF JUSTICE OF THE COMMONWEALTH OF PUERTO RICO, AND FORMED A PROSECUTION AGAINST ME AND THEY STARTED TO AFFIRM IMPROBABLE JUDGMENT - ORDER BY MAKING A FALSE STATEMENT UNDER OATH, I COULD NOT BELIEVE THE DISTRICT COURT OF PUERTO RICO, COULD GET INVOLVED WITHIN CONSPIRACY,

CLAIM BECAUSE OF THIS REASON REFUSED TO RELEASE ME FROM OR OUT OF ILLEGAL PRISON ALSO CAUSED ME TO LOSE MY CARPET CLEANING COMPANY, TO FORM A PROSECUTION AGAINST ME AND THE LOSE OF MY CARPET CLEANING COMPANY I REQUEST AN AWARD OF \$125 million in damage